

"TWENTY - FIVE YEARS OF SERVICE TO THE COMMUNITY"

M. J. DOCUMENTS  
NEWARK LIBRARY

THE NEWARK HUMAN RIGHTS  
COMMISSION *nisc*

"ARTICLE II"

KENNETH A. GIBSON  
MAYOR

CITY HALL - ROOM B-8  
733-3890

HOPE JACKSON  
CHAIRPERSON

DANIEL W. BLUE, JR.  
EXECUTIVE DIRECTOR

**Article 11. HUMAN RIGHTS COMMISSION.**

**NOTE.** The preamble to ordinance 1-7-76 reads as follows:

Whereas, the City of Newark under the police powers granted to it by the State, enacted Article 11 "Human Rights Commission" for the purposes of taking an official stance and affirmative action against continued racial, ethnic and other types of discrimination affecting the civil rights of the citizens of Newark; and

Whereas, certain cultural traditions and attitudes continue to exist which result in the denial of equal opportunity to women, the aged and the handicapped; and

Whereas, the cultural bias affecting women, the aged and the handicapped is not limited to active bias, but so thoroughly permeates society as to be reflected in the choice of language used in laws;

Whereas, the effect of this invidious discrimination towards women, the aged and the handicapped is such that they are unable to seek the livelihood of their choice, thus a denial of the expression of their free will; and

Whereas, the City of Newark recognizes the urgency of the situation faced by the aged, the handicapped and women, and the necessity for meaningful legislation as a first step towards correction.

**2:2-37. Declaration of purpose of article; findings.**

In the city of Newark, with its large cosmopolitan population, consisting of all the races, nationalities, religious and ethnic groups which constitute America, no greater menace threatens the peace, good order, security and welfare of the city and its inhabitants than the existence within it of groups antagonistic to one another and prejudiced against each other because of differences of race, creed, color, national origin, ancestry, marital status, sex or age.

The city of Newark also recognizes the special problems of prejudice experienced by those citizens who are physically or mentally handicapped.

The council of the city hereby finds and declares that the practice of prejudice, intolerance, bigotry and discrimination

and the disorder occasioned thereby, tends to create breaches of the peace and threatens not only the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state. To the end that such prejudice, intolerance, bigotry and discrimination shall be stamped out, this article is enacted to provide an instrumentality through which the city may officially encourage and bring about mutual understanding and respect by all groups in the city, eliminate prejudice, intolerance, bigotry, discrimination and disorder and help give effect to the guarantee of equal rights for all as assured by the constitution and laws of the state.

The enactment of this article shall be deemed an exercise of the police power of the city for the protection and preservation of the public health, safety and welfare of this city and its inhabitants and in fulfillment of the provisions of the constitution and laws of this state guaranteeing civil rights.

(1-7-76, § 1.)

**2:2-39. Membership; term; no compensation; officers; rules.**

(b) The commission shall select a chairperson, one or more vice-chairpersons from its members, and a secretary. The commission shall fill such other offices as it may determine. It is empowered to adopt rules for the government of its business and for its procedure as it may determine, consistent with law.

(1-7-76, § 2.)

**2:2-40. Functions; powers and duties.**

(a) The functions of the commission shall be to:

- (3) Assure that neither women, the aged, nor the handicapped are denied their equal opportunities by virtue of their status,
- (4) Cooperate with federal, state and municipal agencies and non-governmental organizations having like or kindred functions; and

# 1976 SUPPLEMENT

- (5) Make such investigations and studies in any field of human relationship as in the judgment of the commission will aid in effectuating its general purposes.
- (b) The powers and duties of the commission shall be to:
  - (1) Aid in effectuating the purposes of R. S. Cum. Supp. 18:25 [R. S. 10:5] known as "Law Against Discrimination" as amended and supplemented.
  - (2) Attempt to foster through community effort or otherwise, goodwill, cooperation and conciliation among the groups and elements of the inhabitants of this community.
  - (3) Formulate and carry out educational programs that will aid in eliminating and preventing all types of prejudice and discrimination based on race, creed, color, national origin, ancestry, marital status, sex, age or physical or mental handicap.
  - (4) Receive and investigate complaint, and initiate its own investigations of:
    - (i) Racial, religious and ethnic group tensions, prejudice, intolerance, bigotry and discrimination and any breach of the peace or disorder occasioned thereby;
    - (ii) Practices of discrimination against any person because of race, color, creed, national origin, ancestry, marital status, age, sex or physical or mental handicap.
  - (5) Issue such publications and such reports of investigations and research as in its judgment will tend to minimize or eliminate prejudice, intolerance, bigotry, discrimination, breach of peace or disorder or tend to promote goodwill.
  - (6) Enlist the cooperation of the various racial, religious, and ethnic groups, community, civic, labor and business organizations, fraternal and benevolent associations, veterans' organizations, women's organizations, and other groups in educational campaigns and programs devoted to teaching the need for eliminat-

## REVISED ORDINANCES OF CITY OF NEWARK

ing group tensions, prejudices, intolerance, bigotry, and discrimination, and breach of the peace and disorder occasioned thereby.

- (7) Aid in the formation of local community groups in such neighborhoods as it may deem necessary or desirable to carry out specific programs designed to lessen tensions, or improve group relations in the community.
- (8) Cooperate with federal, state, and city agencies in developing programs showing the contribution of the various races, religious and ethnic groups, as well as women and the handicapped, to the culture and traditions of our city and nation, the menace of prejudice, intolerance, bigotry and discrimination and the need for mutual self-respect.
- (9) Create such advisory committees and sub-committees of citizens as in its judgment will aid in effectuating the purposes of this article and to empower them to study the problems of prejudice, intolerance, bigotry and discrimination and breach of the peace and disorder occasioned thereby.
- (10) Make recommendations to the council for the development of policies and procedures in general and for programs of formal and informal education that will aid in eliminating all types of discrimination based on race, creed, national origin, ancestry, marital status, sex, age or physical or mental handicap.
- (11) Recommend to the council legislation to aid in carrying out the purposes of this article.

### (1-7-78, § 3.)

NOTE: The preambles to ordinances of 7-16-78 and 9-3-78 [2:2-49.1 et seq.] read as follows:

Whereas, the City of Newark under the police powers granted to it by the State, enacted Article 11 "Human Rights Commission" (R.O. 2:3-37) for the purposes of taking an official stance and affirmative action against continued racial, ethnic and other

## 1976 SUPPLEMENT

types of discrimination affecting the civil rights of the citizens of Newark; and

Whereas, there exists in the construction trade continued discriminatory practices which affect the ability of certain ethnic minorities to carry on a livelihood in the trade of their choice;

Whereas, the City of Newark in conjunction with the State and Federal Governments is opposed to the granting of any contracts funded by local, state or federal monies in which discriminatory hiring practices can be shown; and

Whereas, R.O. 2:2-49 (9) empowers the Human Rights Commission to create such advisory committees and subcommittees of citizens as in its judgment will aid in effectuating the purposes of the Human Rights Commission.

### 2:2-40.1. Affirmative action review council established.

The affirmative action review council is hereby established as an operating sub-committee of the Newark human rights commission.

(7-16-75, § 1; 9-3-75, § 1.)

### 2:2-40.2. Membership of council; appointment; terms.

The affirmative action review council shall consist of no more than eleven members to be appointed by the mayor subject to confirmation by the municipal council. The original appointees shall serve in the following manner: four members for a term of one year, three members for a term of two years and four members for a term of three years. Each succeeding appointment shall be for a term of three years. All appointments to fill vacancies shall be for the unexpired term. The members shall serve without compensation.

(7-16-75, § 2; 9-3-75, § 2.)

### 2:2-40.3. Review of certain city contracts.

As such sub-committee, the affirmative action review council shall be empowered to review all construction trade related contracts granted by the city of Newark to ensure full compliance with the affirmative action plan.

(7-16-75, § 3; 9-3-75, § 3.)

### 2:2-40.4. Compliance officer, duties.

There shall be a compliance officer charged with the duties of overseeing the implementation of the affirmative action plan

## REVISED ORDINANCES OF CITY OF NEWARK

on all contracts awarded by the city of Newark.

(7-16-75, § 4; 9-3-75, § 4.)

### 2:2-40.5. Action on finding discrimination or non-compliance.

Upon a finding of employment discrimination or non-compliance under the affirmative action plan, the affirmative action review council shall inform the human rights commission and the corporation counsel wherein the appropriate legal action will be taken.

(7-16-75, § 5; 9-3-75, § 5.)

NOTE: The preamble to ordinance of 1-7-76 [R. O. 2:2-40.6 et seq.] reads as follows:

Whereas, the City of Newark under the police powers granted to it by the State, enacted Article II "Human Rights Commission" (R. O. 2:2-37) for the purposes of taking an official stance and affirmative action against discrimination affecting the civil rights of the citizens of Newark; and

Whereas, the City of Newark recognizes the role of women in our society as a changing and developing role; and

Whereas, the City of Newark recognizes the existence of prejudice and bigotry against women and is opposed to those inequalities which still stand as barriers to the full participation of women of every race and group in both public and private life; and

Whereas, the City of Newark recognizes the need for the establishment of a body within the municipal government which would assist government in developing and implementing programs to increase the participation of women in both public and private life.

Whereas, R. O. 2:2-40 (b) (9) empowers the Human Rights Commission to create such advisory committees and subcommittees of citizens as in its judgment will aid in effectuating the purposes of the Human Rights Commission.

### 2:2-40.6. Committee on the status of women established.

The committee on the status of women (hereinafter called the "Committee") is hereby established within the human rights commission.

(1-7-76, § 1.)

### 2:2-40.7. Membership of committee; appointment; terms.

The committee shall consist of 9 members to be appointed by the mayor and confirmed by the municipal council, 3 of

whom shall be members of the human rights commission. A majority of the committee shall be women. Each member shall serve for a term of 3 years or until his or her successor shall be appointed and qualified, except that of the original appointees, 3 shall be appointed for a term of one year, 3 for a term of 2 years, and 3 for a term of 3 years. The terms of commission members serving on the committee shall be such so that each year one commission member is among the 3 new appointees to the committee. All appointments to fill vacancies shall be for the unexpired term. The members shall serve without compensation.

(1-7-76, § 2.)

#### 2:2-40.3. Recommendations to commission.

The committee shall make recommendations to the commission for programs and services which will have a positive effect on the roles and responsibilities of women. These programs and services shall include but not be limited to:

(a) Increasing the participation in and the development of programs to insure upward mobility of women in the labor forces, both public and private.

(b) Providing information which would assist women in protecting their legal rights and privileges to the end that they secure equal protection under the law.

(c) Providing information and supplementing existing services in the area of health, education and welfare.

(d) Coordinating activities which would eliminate financial barriers which now limit the investment strength and economic development potential of women in Newark.

(e) Assisting in the development of a criminal justice system which equalizes services for women and men offenders.

(f) Working with, cooperating with, and strengthening existing municipal, county, state and federal agencies to eliminate sex discrimination in both public and private sectors.

(1-7-76, § 3.)

#### REVISED ORDINANCES OF CITY OF NEWARK

#### 2:2-40.3. Annual reports.

An annual report outlining the activities of the committee shall be submitted to the commission to be included in the commission's annual report to the mayor and council.

(1-7-76, § 4.)

#### 2:2-42. Executive director.

(a) Establishment; appointment; compensation.

The position of executive director of the human rights commission, office of the mayor, heretofore created is hereby continued. The director shall be appointed by the mayor and shall receive such annual compensation as is fixed by ordinance.

(b) Duties and responsibilities.

The executive director of the human rights commission shall:

- (6) Maintain a continuing liaison with community councils, religious and civic organizations, human relations agencies, women's groups, and individuals to render the services of the commission and to involve them in the program of the commission.

(1-7-76, §§ 4, 5.)